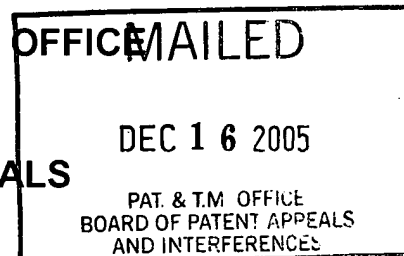


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**



Ex parte KARL-EUGEN KROELL, JUERGEN PILLE and HELMUT SCHETTLER

Application No. 09/902,140

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on November 17, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The Information Disclosure Statement dated December 9, 2002 was not fully considered by the Primary Examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. The reference to Wong on page 1 was not responded to by the Examiner. A written communication notifying appellants of the Primary Examiner's decision is required.

Application No. 09/902,140

Accordingly, it is

ORDERED that the application is electronically returned to the Examiner for consideration of the Information Disclosure Statement; written communication to appellants of such consideration; and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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